

## DEPARTMENT OF SOCIAL SERVICES



January 31, 1985

ALL-COUNTY LETTER NO. 85-17

• TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: REFUGEE DEMONSTRATION PROJECT UPDATE AND PRELIMINARY INSTRUCTIONS

REFERENCE: ACIN I-63-84, ACL 84-98

This letter is being transmitted to provide the County Welfare Departments (CWDs) with an update of the Refugee Demonstration Project (RDP) as well as preliminary instructions necessary to implement the RDP.

BACKGROUND

Pending timely receipt of Federal approval, California plans to implement a statewide RDP effective April 1, 1985 to run for three years. Delays in receipt of these approvals will move the implementation date accordingly. All counties in which there are DSS-funded or Targeted Assistance refugee employment/training programs will participate in the RDP. The RDP is 100 percent Federally funded through the use of Federal Refugee Resettlement Program (RRP) cash, medical, social services and Targeted Assistance funds, and Title IV-A and Title XIX cash and medical funds. No special funding will be necessary for Food Stamp allotments. Federal authority for this demonstration project is contained in 8 USC Section 1522(e)(7) (aka, the Fish/Wilson Amendment) and State enabling legislation is contained in Senate Bill 2035, Chapter 1352, Statutes of 1984.

PROJECT DESCRIPTION

The RDP will require that all refugees who would normally qualify for aid under the Federal AFDC Program, who reside in areas in which DSS-funded and/or Targeted Assistance employment/training programs are available, and who are RDP time-eligible (see Section B) shall be provided cash assistance under RDP as the primary source of aid. Additionally, certain refugees currently aided in the Federal AFDC Program shall be transferred or "converted" to the RDP beginning with the April 1, 1985 implementation date.

Under the RDP, refugee families will be required to participate in refugee employment/training programs designed to accelerate acculturation and develop employment skills. Additionally, training and work-related expenses and child care payments may be provided to encourage participation in early employment.

All RCA Program regulations shall apply unless superseded by the RDP regulations. These regulations are due to be effective April 1, 1985. Enclosed for your information is a copy of the RDP regulations. These regulations will be filed with the Office of Administrative Law upon receipt of Federal approval of RDP waivers. We anticipate there will be no substantial changes to the regulations package. A special stuffer notice and Notice of Action language will be provided to the counties by DSS under separate cover.

It is critical to remember that under the Federal law allowing for the RDP, all cases defined as eligible for the RDP will become ineligible for both Federal AFDC and RCA.

Cuban/Haitian Entrants are not eligible for the RDP.

#### PRELIMINARY INSTRUCTIONS

##### A. General Case Processing

1. All ongoing Federal AFDC refugee cases which are RDP eligible shall be converted to the RDP by June 30, 1985 (1/3 of the caseload per month).
2. Federal AFDC applications dated prior to the effective date of these regulations, when authorizing action is to take place April 1985, shall receive an AFDC payment for that month. However, the CWD shall take steps to notify the refugee that the case will be converted to the RDP (via the stuffer notice and/or Notice of Action) and prepare to deregister the caretaker relative/principal earner from WIN. An RS 3 will be completed to refer the non-exempt caretaker relative/principal earner to the Central Intake Unit (CIU) for employment and training registration purposes. A list of the CIUs for RDP is enclosed.

Note: All RDP non-exempt caretaker relatives/principal earners must be referred to the CIU by the CWD regardless of whether or not they are currently participating in a DSS-funded or Targeted Assistance employment/training program.

3. A new grant computation may be necessary if the converted case was receiving the \$30 and 1/3 disregard and/or if a member of the assistance unit is a full-time student in an institution of higher education (see ACL 83-87).

4. Federal AFDC applications dated on or after April 1, 1985 shall be processed in accordance with RDP regulations regardless of the date of the authorizing action.

#### B. Determination of Time-Eligibility for RDP

1. Converted cases - All ongoing Federal AFDC refugee cases whose caretaker relative/principal earner has 12 months or more of time-eligibility left as of April 1, 1985.
2. RDP applicants - All new Federally-eligible AFDC refugee cases (on or after April 1, 1985) whose caretaker relative/principal earner has six months or more of time-eligibility remaining as of the date of application for assistance.

#### C. Conversions

1. Cases where the caretaker relative/principal earner is the U.S. citizen will not be converted to the RDP. Cases where the caretaker relative/principal earner is a refugee and the remaining parent and/or child are U.S. citizens shall be converted to the RDP when the caretaker relative/principal earner is RDP-time eligible. The U.S. citizen parent and child will be non RRP-funded (MPP Section 69-203.32).
2. Cases where the caretaker relative/principal earner is excluded from the assistance unit shall be converted or aided under the RDP if the caretaker relative/principal earner is RDP time eligible (MPP Sections 69-204.311, 69-205.11 and 69-206.211).
3. Cases which were originally not converted to the RDP and are subsequently reunited with the missing caretaker relative/principal earner who meets the RDP criteria shall be converted to the RDP.
4. Cases which move from a non-RDP county to an RDP county shall be converted to the RDP if eligible.

#### D. Sanctions

Sanctions for RDP clients shall be the same as in the AFDC Program. Thus, in an RDP-FG case only the caretaker relative will be sanctioned, for three payment months for the first offense and six payment months for second and subsequent offenses. The RDP-U cases shall likewise be sanctioned for three and six payment months, except that the entire assistance unit will be under sanction during the penalty period (MPP Section 69-208.712).

#### E. Availability of Services

For purposes of RDP eligibility (MPP Section 69-206.112) availability of DSS-funded employment/training programs means that there are DSS-contracted or Targeted Assistance employment/training programs in the county. Where slots are unavailable in these programs, refugees will be put on a waiting list or re-referred by the CIU to the CWD for referral to FDD-ES, as appropriate.

#### F. Appeals

Transfer to the RDP is an appealable action. Cases which appeal shall remain in AFDC until the fair hearing decision is reached. Cases with less than six months of time eligibility remaining from the date of the fair hearing decision shall remain in the AFDC Program. Cases awaiting a fair hearing decision which does not involve an AFDC eligibility issue, e.g. late CA 7, shall be converted to the RDP. Any overpayment/underpayment incurred as determined by the fair hearing decision shall be collected/corrected through the RDP grant (MPP Sections 69-204.312 and 69-210). Aid paid pending will be paid from the AFDC Program, not RDP.

#### G. Supportive Services

Pending approval of Federal funding, DSS plans to provide supportive services, i.e. Training-Related and Work-Related Expenses, and child care payments to mandatory RDP registrants participating in DSS-funded or Targeted Assistance employment/training programs. The CIU will assess the need and provide the supportive services payments. The RDP recipients who refuse supportive services which would enable their participation in the employment/training programs shall be reported to the CWD by the CIU. The CWD shall make a cause determination and if no good cause is found for the refusal, the individual/assistance unit shall be sanctioned (MPP Sections 69-208.61 and 69-208.7).

#### H. Full-Time Students

All full-time student provisions of the RCA Program apply to RDP time-eligible participants (see ACL 83-87).

#### I. Aid Codes

The following codes shall be used for RDP cases:

Code 77 - Federal AFDC-FG refugee cases aided under the RDP (RDP-FG).

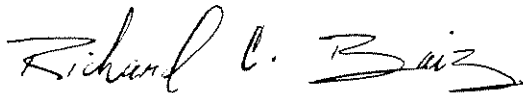
Code 78 - Federal AFDC-U refugee cases aided under the RDP (RDP-U).

J. Mandatory Referral System

All current program regulations and instructions regarding the RCA mandatory referral system apply to the RDP. This means that unless/until the non-exempt caretaker relative/principal earner has registered with the CIU, the case is ineligible for RDP payments. The RS 3 (Central Intake Unit (CIU) Referral Form) has been revised and is available from the State Warehouse. This new RS 3 must be used when referring all non-exempt RDP participants to the CIU. Enclosed is a copy for your information and instructions on how to complete the form.

As stated previously, implementation of the RDP is contingent on receipt of Federal approvals requested in the State's RDP proposal. We will inform you of any new developments as they occur.

If you have further questions, please contact your Office of Refugee Services, County Welfare Operations Consultant at (916) 322-3141 or (415) 337-8588, as appropriate.



RICHARD C. BAIZ, Deputy Director  
Government and Community Relations

Enclosures

cc: CWDA  
ORR-SF

# TABLE OF CONTENTS

## CHAPTER 69-200 REFUGEE RES TLEMENT PROGRAM

	Section
General Statement.....	69-201
Definitions.....	69-203
Determining Eligibility for Cash and Medical Assistance.....	.1
Determining Eligibility for Assistance and Social Services.....	.2
Children of Refugees.....	.3
Determining Eligibility for Refugee Demonstration Project (RDP) and Refugee Cash Assistance (RCA).....	.4
Sponsor and County Responsibilities.....	69-204
Resettlement Agency and Sponsor Responsibilities.....	.1
County Responsibilities.....	.2
Eligibility for SSI/SSP and AFDC Programs.....	69-205
SSI/SSP and AFDC.....	.1
SSI/SSP.....	.2
AFDC.....	.3
Time-Eligibility for AFDC and SSI/SSP.....	.4

## Eligibility for Refugee Demonstration Project

(RDP) and Refugee Cash Assistance.....	69-206
Eligibility Factors.....	.1
Eligibility Determination.....	.2
Cash Assistance Units.....	.3
Income Eligibility Exceptions.....	.4
Income and Resources.....	69-207
Income.....	.1
Resources.....	.2
Registration, Employment and Employment-	
Directed Education/Training Requirements.....	69-208
Aid Payment.....	69-209
Overpayment Adjustments and Fraud Referrals.....	69-210
Unaccompanied Children.....	69-211
Termination of Aid.....	69-213
Intercountry Transfers.....	69-215
Case Records.....	69-217
Claiming and Reimbursement.....	69-219
Fair Hearings.....	69-221

(1) Amend Sections 69-201.3 and .4 to read:

69-201 GENERAL STATEMENT (Continued)

69-201

- 1 (Continued)
- 2 (Continued)
- 3 County welfare Departments (CWD) shall, upon notification from DSS, determine the eligibility of refugees in RRP for AFDC and Refugee Demonstration Project program (RDP) or Refugee Cash Assistance (RCA). Eligibility for SSI/SSP shall be determined by the Social Security Administration. The CWD shall administer these programs according to federal policy under the supervision of DSS for financial assistance and social services, and the State Department of Health Services (DHS) under interagency agreement with DSS for medical assistance.
- 4 All current AFDC program regulations apply unless specifically superseded by the RDP or RCA regulations contained herein.

Authority: Welfare and Institutions Code Sections 10553 and 10554.

Reference: Welfare and Institutions Code Division 9, Part 3, Chapter 5.2 and Public Law 98-473, Amendment 6965.



(2) Amend Sections 69-203.31 and .32 and adopt .321 to read:

69-203 DEFINITIONS (Continued)

69-203

.1 (Continued)

.2 (Continued)

.3 Children of Refugees

.31 In a number of cases, children have been born in the United States to refugee parents, or have been born to a refugee and a United States citizen. These children are considered to be United States citizens by birth. However, under the following circumstances, such children are eligible for assistance (AFDC, SSI/SSP, RDP, RCA, and medical assistance) and social services funded under RRP:

.32 United States citizen children born of a refugee and a United States citizen are not eligible for assistance or services funded by RRP if the household unit includes the United States citizen parent. In these situations, the refugee parent if eligible may receive RRP funded assistance (AFDC, SSI/SSP, RDP, RCA and/or medical assistance) and social services, and the United States citizen parent and the children if eligible may be aided under the regular (non-RRP funded) AFDC, SSI/SSP, medical assistance and/or social services programs.

Authority: Welfare and Institutions Code Sections 10553 and 10554.

Reference: Welfare and Institutions Code Division 9, Part 3, Chapter 5.2, and Public Law 98-473, Amendment 5965.

(3) Amend Section 69-203.4 and adopt .42 to read:

69-203 DEFINITIONS (Continued)

69-203

.4 Cash Assistance

.41 For purposes of determining eligibility for RCA, RCA means cash assistance provided to refugees who have been determined to be ineligible for AFDC or SSI/SSP and who have resided in the United States for 18 months or less from date of entry.

.42 For purposes of determining eligibility for RDP assistance, RDP means cash assistance provided to time-eligible refugee families who would otherwise be eligible for AFDC.

RDP is provided under the authority of Public Law 98-473, Amendment 6965, and required under Welfare and Institutions Code Section 13200 for a three-year period. All refugee families applying for assistance and determined eligible for AFDC benefits must participate in RDP rather than AFDC unless exempted. RDP provides cash assistance based upon the AFDC payment standard, and a strong support service element designed to accelerate refugee acculturation and the development of employment skills.

Authority: Welfare and Institutions Code Sections 10553 and 10554.

Reference: Welfare and Institutions Code Division 9, Part 3, Chapter 5.2 and Public Law 98-473, Amendment 6965.

(4) Adopt Section 69-204.3 to read:

69-204 SPONSOR AND COUNTY RESPONSIBILITIES

69-204

.3 Implementation/Conversion

.31 CWOs shall transfer all current time-eligible refugee federal AFDC FG/U cases to the RDP program by May 1, 1985 except as follows:

.311 Refugee AFDC cases whose Caretaker Relatives/Principal Earners have fewer than 12 months of remaining refugee time-eligibility as of February 1, 1985 shall be exempted from the conversion.

.312 Conversion of current AFDC RDP-eligible cases awaiting a fair hearing decision involving an AFDC eligibility issue shall be delayed until the fair hearing decision is reached. If still AFDC eligible, the case shall then be converted to the RDP unless the Caretaker Relative/Principal Earner has fewer than six months of time-eligibility remaining.

.32 At the time of conversion from Federal AFDC FG/U to the RDP, CWOs shall concurrently deregister WIN mandatory registrants and refer them to the Central Intake Unit (CIU) for registration.

.33 Refugee cases terminated from RDP as specified under 69-213.3 and 69-213.6 shall be transferred to federal AFDC FG/U via interprogram transfer if the RDP assistance unit is otherwise eligible. A new application is not required.

.331 Deregistration from the CIU and WIN registration shall be made concurrently.

.332 Eligibility determinations shall include review of the number of hours worked and a redetermination of eligibility for the \$30 and 1/3 disregard.

.333 Connection with the labor force established prior to transfer to RDP shall be retained.

Authority: Welfare and Institutions Code Sections 10553 and 10554.

Reference: Welfare and Institutions Code Division 9, Part 3, Chapter 5.2, and Public Law 98-473, Amendment 6965.

DRAFT

(5) Amend Section 69-205.3 to read:

69-205 ELIGIBILITY FOR SSI/SSP AND AFDC PROGRAMS

69-205

- 1 (Continued)
- 2 (Continued)
- 3 AFDC

Refugees who qualify for assistance under the AFDC program shall be aided under the RDP if eligible per Section 69-205. Other AFDC eligible refugees are to be aided under that program AFDC. For purposes of State-only AFDC-U program priority and transition, the CWD shall refer to refugee program instructions and directives issued by DSS. Those who do not qualify for the AFDC program shall have their eligibility determined for RCA per Section 69-206. The refugee has no option as to program preference.

Authority: Welfare and Institutions Code Sections 10553 and 10554.

Reference: Welfare and Institutions Code Division 9, Part 3, Chapter 5.2 and Public Law 98-473, Amendment 6965.

(b) Amend Section 69-206 and adopt .11, .112, and .211 to read:

69-206 ELIGIBILITY FOR REFUGEE DEMONSTRATION PROJECT (RDP) OR REFUGEE CASH ASSISTANCE (RCA) 69-206

.1 Eligibility Factors

.11 RDP

All eligibility requirements for the federal AFDC program Family Group (FG) or Unemployed Parent (U) apply to RDP except that aid shall be granted without regard to the number of hours worked. Factors which must be considered in determining eligibility are: time eligibility (69-206.211); refugee status (69-203.1); income and resources (69-207); income eligibility (69-206.4); and registration, employment and employment-directed educational/training requirements (69-208). For purposes of determining deprivation for AFDC-U applicant cases, when the refugee Principal Earner is RDP eligible, the following AFDC regulation sections shall not apply: 41-440.21, 41-440.25, 41-440.3, 41-440.42, 41-440.44, and Chapter 42-600. In addition to these factors, as a condition for receiving assistance, the applicant/recipient shall, if applicable, provide the name of his/her sponsor or responsible VOLAG.

.112 Refugees residing in areas in which SDSS-funded employment-directed educational/training programs are not available shall not be required to participate in RDP.

.12 RCA

Requirements of categorical relatedness applicable to the AFDC program are waived for aid payments assistance under RCA (see Section 69-203.41) and aid shall be granted without regard to the presence of children, age or number of hours worked. Factors which must be considered in determining eligibility are: time eligibility (69-206.212); refugee status (69-203.1); income and resources (69-207); income eligibility (69-206.4); and registration, employment and employment-directed educational/training requirements (69-208). In addition to these factors, as a condition for receiving assistance, the applicant/recipient shall, if applicable, provide the name of his/her sponsor or responsible VOLAG.

## •2 Eligibility Determination

AFDC program forms shall be used for eligibility determination, unless alternate forms are approved by OSS for use by the LWD.

### •21 Time-Eligibility

•211 RDP-Eligibility for RDP is limited to the first 36 months following the date of entry in the United States. The month of entry, as indicated on the INS Form I-94, is counted as the first month.

(a) A refugee who is within the 36-month period following date of entry in the United States is referred to as an RDP time-eligible refugee for purposes of RDP.

(b) A refugee who has lived in the United States for more than 36 months is referred to as an RDP time-expired refugee.

(c) Children born in the United States of refugee parents (Section 67-203.3) shall be considered time-expired based on the most recently arrived parent's expiration date or at the end of the 36th month from the child's birth date, whichever occurs sooner; however, the entire assistance unit shall remain in the RDP case until the time expiration of the Caretaker Relative/Principal Earner.

(d) The month of arrival, as indicated on the INS Form I-94, or the month of birth is counted as the first month in determining time-eligibility.

(e) All refugee recipients aided under RDP shall have their time-eligibility reviewed to determine if they are still RDP time-eligible. RDP time-expired refugees shall be aided under other federal, state and/or county-funded programs, if otherwise eligible.

(f) All refugee applicants shall have at least six months of refugee time-eligibility remaining to be eligible for RDP.

.212 RCA-Eligibility for RCA is limited to the first 18 months following the refugee's date of entry in the United States. The month of entry, as indicated on the INS Form I-94, is counted as the first month. Unaccompanied refugee children (Section 69-211) are not subject to the 18-month time-limitation.

\*211(a) A refugee who is within the 18-month period following date of entry in the United States is referred to as a RCA time-eligible refugee for purposes of RCA.

\*212(b) A refugee who has lived in the United States for more than 18 months is referred to as a RCA time-expired refugee.

\*213(c) Children born in the United State of refugee parents (Section 69-208.3) shall be considered time-expired based on the most recently arrived parent's expiration date or at the end of the 18th month from the child's birth date, whichever occurs sooner.

\*214(d) The month of arrival, as indicated on the INS Form I-94, or the month of birth is counted as the first month in determining time-eligibility.

\*215(e) All refugee recipients aided under RCA shall have their time-eligibility reviewed to determine if they are still RCA time-eligible. RCA time-expired refugees shall be aided under other federal, state and/or county-funded programs, if otherwise eligible.

## .22 Redetermination of Eligibility

A periodic redetermination of RDP or RCA eligibility shall be made in accordance with the procedures outlined in AFDC regulations.

## .3 Family Budget Assistance units, RCA Only (Continued)

Family Budget Assistance units (FBU) shall be established as follows:

.31 Parents and their children under 18 years of age shall be in the same FBU assistance unit.



- .32 Brothers and/or sisters 18 years of age or older residing together may each be established in their own FBE assistance unit.
- .33 Single adult refugees shall each be established in their own FBE assistance unit.
- .34 Married couples without children shall be in the same FBE assistance unit.

.4 Income Eligibility Exceptions

Income eligibility determinations shall be made in accordance with AFDC regulations except the 3/30 and 1/3 disregard and sponsored alien provisions shall not apply in determining net nonexempt income.

Authority: Welfare and Institutions Code Sections 10553 and 10554.

Reference: Welfare and Institutions Code Division 9, Part 3, Chapter 5.2 and Public Law 98-673, Amendment 6965.

DRAFT

(7) Amend Section 69-207 to read:

69-207 INCOME AND RESOURCES

69-207

•1 Income

Income shall be considered on the same basis as in the AFDC program for determining need and computing the assistance payment, except that the \$30 and 1/3 disregard and sponsored alien provisions as it applies in the AFDC program shall not be applied to RDP or RCA cases.

•2 Resources

Real and personal property limitations shall be those prescribed in AFDC program regulations, except that the sponsored alien provisions in the AFDC program shall not be applied to RDP or RCA cases.

Authority: Welfare and Institutions Code Sections 10553 and 10554.

Reference: ~~Welfare and Institutions Code~~ Division 9, Part 3, Chapter 5.2 and Public Law 98-473, Amendment 6965.

(8) Amend Sections 69-208.1, .2, .3, .5, and .6 to read:

69-208 REGISTRATION, EMPLOYMENT AND EMPLOYMENT-DIRECTED 69-208  
EDUCATION/TRAINING REQUIREMENTS

.1 General Requirements

.11 As a condition of eligibility, every RDP or RCA applicant/recipient shall as required by the CWD, either 1) register and participate with a DSS-funded or other CWD approved and referred employment-directed education/training program, or 2) register and maintain registration with the State Employment Development Department (EDD); unless the applicant/recipient is exempt per Section 69-208.4 or good cause can be established per Section 69-208.63. Each RDP or RCA applicant/recipient must also accept an offer of employment or employment-directed education/training opportunity(ies) from any source which is determined to be appropriate by the CWD, unless he/she is exempt or good cause can be established. Inability to communicate in English does not make the refugee exempt and shall not be considered good cause.

.12 RDP applicants/recipients shall accept necessary supportive services, such as training-related expenses (TRE), work-related expenses (WRE) or child care, if these services are available, if provision of these services will permit acceptance of an appropriate training or employment opportunity.

.123 The applicant/recipient must provide written verification to the CWD of his/her registration with the employment-directed education/training program or EDD.

.13 Unless the order of priority is waived by DSS, CWDs shall, when referring RDP or RCA applicants/recipients to education/training programs, give priority first to DSS-funded programs and second to other CWD-approved programs. If no available education/training program can accept the applicant/recipient, the CWD shall refer the refugee to EDD for registration. Once the applicant/recipient has completed all available education/training programs, the CWD shall refer the refugee to EDD for registration.

.2 Employment and Employment-Directed Education/Training Requirements

.21 The CWD shall refer all nonexempt (see Section 69-208.4) RDP or RCA applicants and recipients to the local DSS-funded or CWD approved project(s) providing employment-directed education/training for refugees. Such training must meet local employers' requirements so as to be likely to lead to employment within the local labor market. CWD referrals shall be accomplished in accordance with instructions and directives issued by DSS.

.22 If a nonexempt RDP or RCA applicant or recipient fails to do any of the following, he/she has not met the employment and employment-directed education/training requirements:

.221 Accept a bona fide offer of employment

.222 Accept a bona fide offer of employment-directed education/training, which is CWD sponsored, approved or referred; and participate in the education/training program in accordance with the criteria set by the program.

.223 Appear for employment interviews arranged by DSS-funded or CWD-approved employment-directed programs.

~~.224 Report to the DSS-funded or CWD-approved employment-directed program when requested to by that program.~~

.225 Accept referrals to employment interviews arranged by the DSS-funded or CWD-approved employment-directed program.

~~.23 Nonexempt RDP applicants/recipients shall accept supportive services offered by the DSS-funded employment-directed program.~~

### .3 EDD Registration Requirements

.31 When it is determined that no available DSS-funded or CWD approved project(s) providing employment-directed services can accept the applicant or recipient, the CWD shall refer these nonexempt (see Section 69-208.4) RDP or RCA applicants and recipients to EDD for registration. The CWD shall use EDD approved forms for referral, and clearly indicate on the form that the person is a refugee.

- .32 If a nonexempt RDP or RCA applicant or recipient fails to do any of the following, ne/she has not met or maintained the EDD registration requirements:

- .321 Appear for EDD-arranged interviews with employers.
- .322 Report to EDD when requested to by EDD.
- .323 Accept referrals to employment interviews arranged by EDD.
- .324 Accept a bona fide offer of employment-directed education/training to which referred to by EDD, and participate in the education/training program in accordance with the criteria set by the program.
- .325 Accept a bona fide offer of employment.

#### .5 Other Requirements (Continued)

As an applicant for RDP or RCA, a refugee shall not, during 30 consecutive calendar days immediately prior to the beginning date of aid have, without good cause, voluntarily quit, been discharged for willful misconduct, or refused to apply for or accept a bona fide offer of employment or employment-directed education/training, or participate in a CWD ~~approved or referred~~ employment-directed education/training program.

#### .6 Cause Determinations

##### .61 Conditions Under Which Cause Determinations Must Be Made

Using the criteria found in Section 69-208.62, the CWD shall make a cause determination within 10 working days of learning or being advised that the nonexempt refugee who is an RDP or RCA applicant or recipient has:

- .611 Failed to register or participate with a DSS-funded or CWD approved or referred employment-directed program as required; or
- .612 Failed to register or to maintain registration with EDD as required; or
- .613 Failed to comply with the requirements contained in Section 69-208.22; or
- .614 Failed to comply with the requirements contained in Section 69-208.32; or

.615 Failed to meet the requirements contained in Section 69-208.5; or

.616 Refused RDP supportive services necessary to permit acceptance of an appropriate work or training offer.

.62 Factors That Must Be Considered in Cause Determinations (Continued)

The CWD must include the following determinations, as appropriate, in considering whether good cause exists for failure to meet or comply with requirements regarding registration, employment, and employment-directed education/training.

.626 The individual must be informed of the effect the refusal to accept or continue employment, or employment-directed education/training, failure to accept supportive services where available and necessary, or failure to comply with the EDD registration requirements, without good cause, will have on his/her receipt of RDP or RCA.

DRAFT

(9) Amend Section 69-208.7 and adopt .712 to read:

69-208 REGISTRATION, EMPLOYMENT AND EMPLOYMENT-DIRECTED 69-208  
EDUCATION/TRAINING REQUIREMENTS (Continued)

.7 Penalties for Failure or Refusal to Comply With the  
Registration, Employment and Employment-Directed  
Education/Training Requirements (Continued)

.71 If the nonexempt ROP or RCA applicant or recipient has refused or failed, without good cause, to meet or comply with the requirements of Section 69-208.1 through 69-208.3 and 69-208.5, the CWD shall deny or discontinue the RCA benefits of for that individual.

.711 Except as provided in Section 69-208.73, a noncomplying recipient shall be ineligible for RCA benefits for three payment months for the first occurrence and six payment months for the second and subsequent occurrences from the date of discontinuance for refusal or failure to comply without good cause. Aid continues to the rest of the FHH assistance unit if the members are otherwise eligible.

.712 Except as provided in Section 69-208.73, the noncomplying individual shall be ineligible for ROP benefits for three payment months for the first occurrence and six payment months for the second and subsequent occurrences from the date of discontinuance for refusal or failure to comply without good cause. Aid continues to the rest of the FHH if the members are otherwise eligible, except that:

a. If the noncomplying individual is the unemployed parent, aid shall be discontinued to the entire assistance unit for the duration of the penalty period.

b. If the noncomplying individual is the caretaker relative, his/her aid shall be discontinued for the duration of the penalty period, and aid shall be continued to the remainder of the family in accordance with AFDC regulations.

.72 (Continued)

- .73 There is no durational penalty attached to a failure or refusal to register with the education/training program(s) or EDD. The noncomplying individual shall be ineligible for RDP or RCA benefits until he/she has registered as required.

Authority: Welfare and Institutions Code Sections 10553 and 10554.

Reference: Welfare and Institutions Code Division 9, Part 3, Chapter 5.2 and Public Law 98-473, Amendment 6965.

DRAFT



(10) Amend Sections 69-209, .3, and .6 to read:

69-209 AID PAYMENTS

69-209

Aid payments for RDP or RCA cases shall be based on AFDC regulations except that the \$30 and 1/3 disregard shall not be allowed in determining net nonexempt income.

- .1 Refugees will be eligible for recurring special needs allowances in accordance with AFDC regulations. Eligibility for nonrecurring special needs allowances exists but may be paid only for loss which has occurred subsequent to their arrival in California. Assistance for nonrecurring special needs is not to replace items of property which were left in the refugee's country of nationality.
- .2 where there is an urgent need for assistance, the CWD shall in accordance with AFDC regulations make such provisions as are necessary to cope with the emergency by speeding up the application process and by issuing the initial grant to the refugee on an immediate need basis where apparent eligibility and immediate need exists.
- .3 Aid pending verification of refugee status shall not be authorized for purposes of RDP or RCA. The CWD shall complete a CA 6 Form on any refugee who presents questionable documentation for eligibility purposes, unless the refugee him/herself chooses to secure the appropriate documentation by contacting INS directly.
- .4 Eligibility for pregnancy special needs shall be determined in accordance with AFDC regulations.
- .5 Payments for unaccompanied refugee children shall be paid at the foster care rate established in the county.
- .6 Notwithstanding other eligibility requirements, refugee children who have been legally adopted by United States citizens are not eligible for assistance under this program RDP or RCA.
- .7 Payments to adult refugees, who are not eligible for SSI/SSP and who in the county's judgment require nonmedical out-of-home care, shall be at the SSI/SSP nonmedical out-of-home care standards.

Authority: Welfare and Institutions Code Sections 10553 and 10554.

Reference: Welfare and Institutions Code Division 9, Part 3, Chapter 5.2, and Public Law 98-473, Amendment 6965.

DRAFT

(11) Amend Section 69-210 to read:

69-210      OVERPAYMENT/UNDERPAYMENT ADJUSTMENTS AND FRAUD      69-210  
REFERRALS

The methods outlined in AFDC regulations concerning the recoupment of overpayments, the correction of underpayments and the procedures concerning fraud shall be followed in RDP and RCA except that the \$30 and 1/3 disregard shall not be allowed in determining the net nonexempt income. Any overpayments/underpayments incurred by persons transferred from federal AFDC shall be recovered from the RDP grant.

Authority:      Welfare and Institutions Code Sections 10553 and 10554.

Reference:      Welfare and Institutions Code Division 9, Part 3, Chapter 5.2, and Public Law 96-473, Amendment 6965.

DRAFT

(12) Amend Section 69-213 to read:

69-213      TERMINATION OF AID

69-213

Aid payments to refugees under the RDP and RCA programs shall be discontinued in accordance with AFDC regulations and under the following circumstances:

- .1 A sponsor is meeting the full needs of the refugee or refugee family, in accordance with AFDC standards of assistance.
- .2 A refugee marries a United State citizen or other nonrefugee, including a time-expired refugee, who is able to meet the refugee's needs. In these circumstances, aid shall be discontinued for the refugee parent. Aid for the minor child(ren) in the budget unit shall be continued unless the United States citizen or other nonrefugee stepparent is able to meet all needs of the child(ren) in accordance with AFDC standards of assistance.
- .3 A refugee becomes time-expired (per Section 69-206.212), becomes a naturalized United States citizen or otherwise loses refugee status.
- .4 A refugee fails to meet, without good cause, the registration employment and educational/training requirements (see Section 69-208).
- .5 A refugee fails to cooperate in providing sponsor or VOLAG information for purposes of determining eligibility for RDP or RCA.
- .6 When 100 percent federal funding ceases for the RDP or RCA program.

Authority:      Welfare and Institutions Code Sections 10553 and 10554.

Reference:      Welfare and Institutions Code Division 9, Part 3, Chapter 5.2 and Public Law 98-473, Amendment 6965

(13) Amend Section 69-215 to read:

69-215 INTERCOUNTY TRANSFERS

69-215

- 1 The procedures for intercounty transfers as outlined in AFDC program regulations shall be applied in this program RCA and RDP.

Authority: Welfare and Institutions Code Section 10553 and 10554.

Reference: Welfare and Institutions Code ~~Section~~ Division 9, Part 3, Chapter 5.2, and ~~Public Law~~ 98-473, Amendment 6965.

DRAFT

(14) Amend Section 69-219.2 to read:

69-219 CLAIMING AND REIMBURSEMENT

69-219

.1 Cash Assistance

The federal legislation provides for reimbursement for aid payments and administrative costs as long as funds are available. Claims are to be submitted in accordance with instructions issued by DSS.

.2 Case Numbers - General

.21 All RCA cases, including those for unaccompanied refugee children, shall be designated with the aid code as follows:

.211 Code 01 - all refugees from Cambodia, Laos and Vietnam.

.212 Code 07 - all other refugees.

.22 All RDP cases shall be designated with the following aid codes:

.221 Code 71 - federal AFDC-FG eligible refugee cases aided under RDP (RDP-FG).

.222 Code 72 - federal AFDC-U eligible refugee cases aided under RDP (RDP-U).

Authority: Welfare and Institutions Code Sections 10553 and 10554.

Reference: Welfare and Institutions Code Division 9, Part 3, Chapter 5.2 and Public Law 98-473, Amendment 6965.

(15) Amend Section 69-221 to read:

69-221 FAIR HEARINGS

69-221

Applicants for and recipients of RDP or RCA shall have the right to appeal adverse actions in accordance with MPP Chapter 22-000.

Authority: Welfare and Institutions Code Sections 10553 and 10554.

Reference: Welfare and Institutions Code Division 9, Part 3, Chapter 5.2 and Public Law 98-473, Amendment 6965.

DRAFT

CENTRAL INTAKE UNITS (CIUs)

LUTHERAN SOCIAL SERVICES OF SOUTHERN CALIFORNIA (Los Angeles)  
UNITED CAMBODIAN COMMUNITY, INC. (Los Angeles)  
LONG BEACH COMMUNITY COLLEGE DISTRICT )Los Angeles)  
INTERNATIONAL INSTITUTE OF LOS ANGELES (Los Angeles)  
CATHOLIC WELFARE BUREAU OF THE ARCHDIOCESE OF LOS ANGELES (Los Angeles)  
PACIFIC ASIAN CONSORTIUM OF EMPLOYMENT (Los Angeles)  
CATHOLIC COMMUNITY AGENCIES/REFUGEE JOB CENTER (Orange)  
INTERNATIONAL RESCUE COMMITTEE, INC. (San Diego)  
COUNTY OF SAN DIEGO, DEPARTMENT OF SOCIAL SERVICES (San Diego)  
SANTA CLARA COUNTY (Santa Clara)  
CENTER FOR SOUTHEAST ASIAN REFUGEE RESETTLEMENT (San Francisco)  
ALAMEDA COUNTY SOCIAL SERVICES AGENCY (Alameda)  
CONTRA COSTA SUPERINTENDENT OF SCHOOLS (Contra Costa)  
CATHOLIC SOCIAL SERVICES, AGENCY OF CATHOLIC COMMUNITY SERVICES, INC. (Sacramento)  
CATHOLIC CHARITIES, DIOCESE OF STOCKTON (San Joaquin)  
CATHOLIC CHARITIES (Stanislaus)  
FRESNO COUNTY ECONOMIC OPPORTUNITIES (Fresno)  
MERCED COUNTY REFUGEE SERVICES (Merced)  
REFUGEE SERVICES PROGRAM OF THE MONTEREY BAY COUNTIES (Monterey)  
INDOCHINESE AMERICAN COUNCIL (Sonoma)



**CENTRAL INTAKE UNIT (CIU)  
REFERRAL FORM**

JICA Mandatory Referral ☐

RDP Mandatory Referral ☐

ADDRESS OF COUNTY WELFARE DEPARTMENT

TELEPHONE NO.: (      ) —

**DISTRIBUTION:**

*Original Copy : Client*  
*1st Copy : CIU*  
*2nd Copy : Return to County Welfare Department When Notification is Required*  
*3rd Copy : County Welfare Department*

**COUNTY USE ONLY**

1. CASE NAME	2. FBU SIZE
3. CASE NUMBER	
4. REGISTRANT'S NAME	
5. SOCIAL SECURITY NUMBER	
6. ALIEN NUMBER	
A -	
7. DATE OF ENTRY	
8. INTRACOUNTY OR INTERCOUNTY TRANSFER	
FROM: _____ COUNTY/DISTRICT	
PREVIOUS CIU: _____	
9. DATE OF REFERRAL	
10. ELIGIBILITY WORKER NAME AND WORKER NUMBER	

11. You are required to report to the CIU before you can be eligible for cash assistance.

a. ☐ Please take this form to the following CIU and return to your eligibility worker with validated original on or before \_\_\_\_\_.

b. ☐ Your appointment at the CIU is scheduled for:

DATE: \_\_\_\_\_ Time: \_\_\_\_\_

12. CIU ADDRESS

TELEPHONE NO.: (      ) —

**CIU USE ONLY**

13. Individual reported to employer services provider's CIU as required.

14. CIU EMBOSSING STAMP

AUTHORIZED SIGNATURE

DATE

When the above name registrant has completed participation in the training program or been placed in employment, please complete the 1st and 2nd copies and return the 2nd copy to the county welfare department addressed above.

15. Reason for notification to the county welfare department:

- ☐ Client has completed participation in training.
- ☐ Client has been placed in employment.
- ☐ Client has not cooperated/participated in employment or training.
- ☐ Other (*Explain*) \_\_\_\_\_

16. AUTHORIZED SIGNATURE

DATE

17. COMMENTS:

## CENTRAL INTAKE UNIT (CIU) REFERRAL FORM

### Instructions

#### County Use Only

1. **Case Name** — Enter the refugee's name: last name, first name, and middle initial.
2. **FBU Size** — Enter number of persons in the Family Budget Unit.
3. **Case Number** — Enter the refugee's case number as assigned by your CWD.
4. **Registrant's Name** — Enter the name of person in the FBU who is being referred on a mandatory basis, and required to register with the CIU.
5. **Social Security Number** — Enter the registrant's social security number.
6. **Alien Number** — Enter the registrant's alien number.
7. **Date of Entry to U.S.** — Enter the date shown on the registrant's I-94 form or I-151 form.
8. **Intracounty or Intercounty Transfer** — Enter the county (or district, if Los Angeles), and the CIU name and address that the registrant is transferring from.
9. **Date of Referral** — Enter the date on which the registrant is referred to the CIU.
10. **Eligibility Worker Name and Worker Number** — Enter the name of worker assigned to the case, and the number that your County uses to identify the worker.
- 11a. Check this box and enter the date that the registrant is to return the validated original RS 3 form to the Eligibility Worker.
- 11b. If you make an appointment for the registrant to report to the CIU, check this box and enter the date and time of the appointment.
12. **CIU Address** — Enter the address and telephone number of the CIU the registrant is being referred to the CIU, by number, street, city and zip code.

#### CIU Use Only

13. **Authorized Signature** — This is to be signed by the person authorized to certify that the registrant has reported to the CIU for registration.
14. **CIU Embossing Stamp** — Enter the official certification stamp.
15. Check the appropriate box to indicate why notification is being made.
16. **Authorized Signature** — This is to be signed and dated by the person authorized to complete this form.
17. **Comments** — Self-Explanatory.